UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,387	07/11/2000	Mark E. Valenti		1188

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EXAMINER
TRAN, PHILIP B

ART UNIT	PAPER NUMBER
2155	9

DATE MAILED: 10/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ___*three*___ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Sep 12, 2002* _____.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-7* _____ is/are pending in the application.

    4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-7* _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some* c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    *See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s).*4 and 5*

4) ☐ Interview Summary (PTO-413) Paper No(s). _____

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:

DETAILED ACTION

Claim Objections

1.   Claims 5-7 are objected to because of the following informalities:

In claim 5, line 9, retuning should be returning.

In claim 6, line 11, retuning shoul be returning.

In claim 7, line 14, retuning should be returning. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) do not apply to the examination of this application as the application being examined was

not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b).

Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the

AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-3 and 5-6 are rejected under 35 U.S.C 102(e) as being anticipated by

Frauenhofer et al (Hereafter, Frauenhofer), U.S. Pat. No. 6,236,991.

Regarding claim 1, Frauenhofer teaches a method of searching a network of

interconnected computers and servers comprising :

categorizing information stored on a plurality of information servers connected to a

network to form categorization information and collecting and storing the categorization

information and network addresses of the information servers on a plurality of IBSP servers (i.e.,

collecting, categorizing and searching metadata about contents provided on the internet and/or

intranet) [see Figs. 1-2 and Abstract and Col. 4, Line 3 - col. 5, Line 12];

transmitting the categorization information and network addresses of the plurality of

information servers from an IBSP server to user nodes, broadcast server nodes, or firewall server

nodes over the network (i.e., delivery of categorizing data in accordance with user profiles) [see

Figs. 1-2 and Abstract and Col. 3, Lines 20-30 and Col. 5, Lines 1-11];

accepting a query on a user node connected to the network and transmitting the query

from the user node directly to a plurality of information servers or to a broadcast server or a

firewall server over the network and the broadcast server or firewall server receiving and

transmitting the user node query to the plurality of information servers and the information

servers searching themselves for information responsive to the user node query (i.e., obtaining

user query and transmitting the query to the server and searching for categoring data based on

user profile) [see Figs. 1-2 and Abstract and Col. 5, Lines 13-47]; and

each of the plurality of information servers transmitting information responsive to the

user node query to the user node or the firewall server for forwarding to the user node when

responsive information if found (i.e., sending documents to the user whose interests it matches)

[see Col. 4, Lines 41-49].

Regarding claim 2, Frauenhofer further teaches the method of searching a network of

interconnected computers and servers of claim 1 further comprising :

the user node categorizing each user node query according to the categorization

information prior to transmitting the user node query (i.e., user specifies which topics are of

interest and sends querries) [see Col. 4, Lines 48-51 and Col. 5, Lines 36- 47].

Regarding claim 3, Frauenhofer further teaches the method of searching a network of

interconnected computers and servers of claim 1, wherein the categorized information and

network addresses comprise information selected from the group consisting of website language,

general contents, domain name, and IP address (i.e., website language, document content, ...) [see

Col. 1, Lines 26-50 and Col. 3, Line 38 - Col. 4, Line 12].

Claims 5-6 are rejected under the same rationale set forth above to claim 1.

Claim Rejections - 35 U.S.C. § 103

4.   The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

5.   Claims 4 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

Frauenhofer et al (Hereafter, Frauenhofer), U.S. Pat. No. 6,236,991 in view of Baker et al

(Hereafter, Baker), U.S. Pat. No. 5,696,898.

Regarding claim 4, Frauenhofer does not explicitly teach the user node is connected to the network via a firewall node connected to the network, but Frauenhofer suggests Internet and Intranet which are inherently incorporated with the firewall. In addition, the use of firewall node connects the user node to the network is well-known in the art as disclosed by Baker [see Figs. 1-2 and Col. 1, Line 60 - Col. 2, Line 9]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement a firewall node to limit access directly to the Internet network and protect user node on a LAN from being attacked by the outsiders.

Regarding claim 7, Frauenhofer teaches a system for searching a network of interconnected computers and servers comprising :

a plurality of information servers connected over a network, each comprising instructions for categorizing information resident on the information servers to form categorization information and for transmitting their network address and categorization information to an IBSP server (i.e., collecting, categorizing and searching metadata about contents provided on the internet and/or intranet) [see Figs. 1-2 and Abstract and Col. 4, Line 3 - col. 5, Line 12];

the IBSP server, connected to the network, comprising instructions for receiving the network addresses and categorization information from the information servers (i.e., delivery of categorizing data in accordance with user profiles) [see Figs. 1-2 and Abstract and Col. 3, Lines 20-30 and Col. 5, Lines 1-11];

a plurality of user nodes comprising instructions for accepting and categorizing user queries based upon the information server categorization, the plurality of user nodes further

comprising instructions for transmitting the user node's network address and the categorized

queries to a server over the network, a plurality of servers each comprising instructions for

receiving the network addresses and the categorization information of the information servers

from the IBSP server (i.e., obtaining user query and transmitting the query to the server and

searching for categoring data based on user profile) [see Figs. 1-2 and Abstract and Col. 5, Lines

13-47]; and

the information servers further comprising instructions for searching themselves for

information responsive to the categorized queries from the user nodes and returning information

responsive to the categorized queries to the server for forwarding to the user nodes transmitting

the categorized queries (i.e., sending documents to the user whose interests it matches) [see Col.

4, Lines 41-49].

Frauenhofer does not explicitly teach the user node is connected to the network via a

firewall server connected to the network for receiving the user node's network addresses and

categorized the queries from a plurality of user nodes and for transmitting the firewall node's

network address, the user node addresses, and the categorized queries to the plurality of

information servers. However, Frauenhofer suggests Internet and Intranet which are inherently

incorporated with the firewall. In addition, the use of firewall connects the user node to the

network is well-known in the art as disclosed by Baker [see Figs. 1-2 and Col. 1, Line 60 - Col.

2, Line 9]. It would have been obvious to one of ordinary skill in the art at the time of the

invention was made to implement a firewall to limit access directly to the Internet network and

protect user node on a LAN from being attacked by the outsiders.

Other References Cited

6.   The following references cited by the examiner but not relied upon are considered

pertinent to applicant's disclosure.

   A) Herz, U.S. Pat. No. 6,460,036.

   B) Dasan, U.S. Pat. No.5,761,662.

   C) Wesinger,Jr. et al, U.S. Pat. No. 5,778,367.

   D) Reilly et al, U.S. Pat. No. 5,740,549.

   E) Cohn et al, U. S. Pat. No. 6,308,202.

   F) Reese, U.S. Pat. No. 6,374,237.

7.   A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET

TO EXPIRE **THREE** MONTHS, OR THIRTY DAYS, WHICHEVER IS LONGER, FROM

THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN

THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME

ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER

THE PROVISIONS OF 37 CAR 1.136(A).

8.   Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Philip Tran whose telephone number is (703) 308-8767. The fax phone
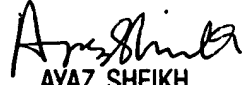
number for this Group is (703) 746-7239.

      If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648.

      Any inquiry of a general nature or relating to the status of this application should be

directed to the Group receptionist whose telephone number is (703) 305-3900.

PBT
Philip Tran
Art Unit 2155
Oct 10, 2002

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100